

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DARKPULSE, INC,

Petitioner,

– *against* –

FIRSTFIRE GLOBAL OPPORTUNITIES
FUND, LLC, and ELI FIREMAN,

Respondents.

ORDER

21 Civ. 11222 (ER)

RAMOS, D.J.:

DarkPulse, Inc. (“DarkPulse”) brought this action against FirstFire Global Opportunities Fund, LLC (“FirstFire”) and managing member Eli Fireman on December 32, 2021. Doc. 1. DarkPulse alleged, *inter alia*, violations of the Securities Exchange Act of 1934 and sought rescission of the parties’ convertible promissory note pursuant to § 29(b) of the Act, executed on April 26, 2021 (“the Note”). *Id.* The Court dismissed DarkPulse’s amended complaint, in its entirety, on January 17, 2023. Doc. 41. On appeal, the Second Circuit affirmed the District Court regarding the enforceability of the Delaware forum-selection clause as applied to DarkPulse’s § 29(b) and RICO claims, but vacated its judgment dismissing the claims, and remanded the case with instructions to transfer the claims to the United State District Court for the District of Delaware. Doc. 41.

In accordance with the mandate issued by the Second Circuit, Doc. 47, the Clerk of Court is directed to transfer this action to the United States District Court for the District of Delaware.

It is SO ORDERED.

Dated: June 11, 2024
New York, New York



EDGARDO RAMOS, U.S.D.J.